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**FACSIMILE TRANSMISSION COVER SHEET**

TO: Examiner **Toni Hood**  
U.S. Patent and Trademark Office  
Group Art Unit: 2837  
Serial No.: 09/359,793  
By: **YAMADA, et al.**  
Filed: **July 26, 1999**  
For: **AUDIO SIGNAL PROCESSING APPARATUS**  
Docket No.: 107156-09038 ~~09038~~ **09038**

November 14, 2002

FROM: Brian A. Tollefson

**MATCH & RETURN**

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NUMBER OF PAGES (INCLUDING THIS COVER SHEET): **89**

**PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES BEING SENT**

Dear Examiner Hood:

Pursuant to your request, enclosed please find a copy of the RCE and the corresponding documents filed on October 8, 2002 for Patent Application Serial No. 09/359,793 (filed July 26, 1999).

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office:

on November 14, 2002

  
Brian A. Tollefson

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PTO/SB/30 (08-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1993 (AIPA).

Application Number	09/359,793
Filing Date	July 26, 1999
First Named Inventor	YAMADA et al.
Group Art Unit	2837
Examiner Name	Fletcher, Marlon T.
Attorney Docket Number	107156-09038

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisions Application Practice, Final Rule, 65 Fed. Reg. 50062 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14665 (Mar. 20, 2000); 1293 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition to Withdraw Patent Application From Issue After Payment of Issue Fee

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2300
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☒ Check in the amount of \$ 870 Enclosed check no. 348014
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brian A. Tolleson	Registration No. (Attorney/Agent)	46338
Signature		Date	October 8, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)			
Signature		Date	

#25/11

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

YAMADA et al.

Art Unit: 2837

Application No.: 09/359,793

Examiner: M. Fletcher

Filed: July 26, 1999

Docket No.: 107156-09038

For: AUDIO SIGNAL PROCESSING APPARATUS

AMENDMENTCommissioner of Patents  
Washington, DC 20231

Date: October 8, 2002

Sir:

Please amend the above-identified application as follows:

IN THE CLAIMS:

Please amend claims 1 and 7 as follows:

1. (Three Times Amended) An audio signal processing apparatus capable of changing the tempo of an input audio signal, said apparatus comprising:

magnification designating means capable of designating a plurality of different magnifications, said different magnifications being at least one of  $1/n$  and  $n$ , wherein  $n$  is an integer;

means capable of automatically detecting beats per minute of the input audio signal or a beat period of the input audio signal, changing said beats per minute or said beat period by computing the detected beats per minute or the detected beat period